

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ARIBA, INC.,

Plaintiff,

v.

SKY TECHNOLOGIES, LLC

Defendant.

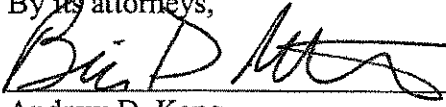
05 C.A. 11883 WGY

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL

Pursuant to the Dismissal Agreement between the parties dated January 17, 2006, the parties to the above-captioned action hereby stipulate and agree that all claims, cross-claims and counter-claims that have been raised in this action are hereby dismissed without prejudice. The parties agree that each shall bear its own costs and expenses in this action, including its attorneys' fees.

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Dated: January 17, 2005

IT IS SO ORDERED.

Hon. William G. Young